

Appl. No. 09/938,892
Amdt. Dated July 5, 2004
Reply to Office action of April 19, 2004

REMARKS

Election/Restrictions

In the Election/Restrictions action dated on Apr. 19, 2004, applicant is required under 35 U.S.C. 121 to elect a single Group for prosecution.

In response, applicant has affirmed here to elect Group II as claimed in claim 11 for prosecution without traverse.

Claim Rejections under 35 U.S.C. 102

Claim 11 is rejected under 35 U.S.C. 102(b) as being anticipated by Tata et al (US 5,313,099).

Applicant cannot agree with Examiner's rejection for the reasons given below.

Claim 11 expressly defines that a heat sink comprises a base (10) including a body (11) defining a through opening (111) in a center portion, and a core (12) being plastically deformed to be snugly and tightly retainably received in the opening (111). That is to say, **the core is plastically deformed when received in the opening**. Claim 11 further defines that **said body (11) is made of a first material having a first conductivity thereof and said core (12) is made of a second material having thereof a second conductivity superior to said first conductivity**. That is, the body and the core received in the body are made of material having different conductivity, i.e., the conductivity of the core being superior to the conductivity of the body.

In Tata, the base 34 has a tapered flange 42 adapted to be forced through bore 26' until the radially extending lip 44 snaps beyond recessed surface 46 (column 4, lines 3-5). That is, the tapered flange 42 is forced through bore 26' before the lip 44 snaps beyond recessed surface 46 and is freed after the lip 44 snaps beyond recessed surface 46. The tapered flange 42 is **NOT** plastically deformed when received in the bore 26'. Furthermore, Tata does **NOT** disclose that the conductivity of the tapered flange 42, which is adapted to be forced through bore

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26 of the adaptor 12, is superior to the conductivity of the adaptor 12.

Accordingly, claim 11 is not anticipated by but should be patentable over Tata since anticipation rejection requires the prior reference discloses each and every limitation of the rejected claim.

In addition, applicant has added two new claims 12 and 13 which can find support from the specification and so no new matter issue is raised.

Newly added claim 12 further defines that the core is plastically deformed outwardly in the opening to thereby firmly combine with the body. Newly added claim 13 further defines that the core has a diameter slightly larger than a diameter of the opening before the core is received in the opening.

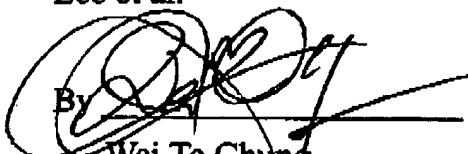
In Tata, the tapered flange 42 is not plastically deformed to combine with the adaptor 12' when received in the bore 26' of the adaptor 12". The tapered flange 42 is retained in the bore 26 via the tapered flange 42 abutting against the recessed surface 46. In the present application, the core is plastically deformed outwardly in the opening to thereby combine with the body. Furthermore, Tata does not disclose such the feature: the diameter of the tapered flange 42 is slightly larger than that of the bore 26', as claim 13 defined. Thus, the present invention as claimed in claims 12-13 are very different from the Tata reference.

Thus, newly added claims 12-13 are also patentable over Tata reference since they incorporate additional new feature except for all of the limitations of claim 11.

In view of the above remarks, the subject application is believed to be in a condition for allowance and an action to such effect is earnestly solicited.

Respectfully submitted,

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